



2857

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

(Attorney Docket Number 112439.120)

In re Application of: Gristina, et al.) Examiner: Not Yet Assigned
No: 10/051,542) Serial
Filed: January 17, 2002) Art Unit: 2857

For: SYSTEM FOR MANAGING RESOURCE INFRASTRUCTURE AND RESOURCE
CONSUMPTION IN REAL TIME

CERTIFICATE OF FIRST CLASS MAILING UNDER 37 CFR §1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.

Date: 8-26-03


Leslie A. Rukstalis

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER

Dear Sir:

Enclosed herewith for filing in the above-identified patent application are the following documents:

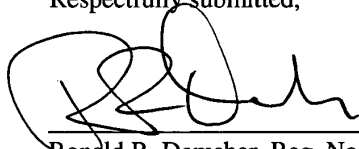
1. Supplemental Information Disclosure Statement (2 pages);
2. Copy of the International Search Report from Patent Cooperation Treaty Application
Number PCT/US03/01530;
3. Form PTO-1449 (1 page);
4. References as Cited (3);
5. Certificate of First Class Mailing, and;
6. Return Postcard.

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No fees are believed to be due in connection with this submission. However, please charge any fees that might be due or credit any overpayment to our Deposit Account No. 08-0219.

Respectfully submitted,

Date: 8/26/2003
HALE AND DORR LLP
60 State Street
Boston, MA 02109
(617) 526-6000
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Ronald R. Demsher, Reg. No. 42,478
Attorney/Agent for Applicant



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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Applicant submits herewith the references on the attached form PTO-1449, a copy of which is enclosed. This Information Disclosure Statement is being filed under 37 C.F.R. § 1.97 (b) (3), before the mailing date of a first Office Action on the merits. I hereby state under 37 C.F.R. § 1.97 (e) (1) that each item of information contained in this Information Disclosure Statement was cited in a International Search Report (copy enclosed) issued in connection with a counterpart Patent Cooperation Treaty Application No. PCT/US03/01530 not more than three months prior to the filing of this statement.

This submission does not represent that a search has been made and does not constitute an admission that the listed documents are material to the patentability of the invention, or that the listed document is prior art. Applicant reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application. If it should be determined that any of the listed documents constitute prior art under United States law, Applicant reserves the right to present to the Office relevant facts and law regarding the significance of such documents to the patentability of the claimed invention.

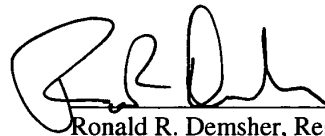
It is respectfully requested that the Examiner initial and return copies of the enclosed form PTO-1449 with the next Patent Office communication.

Please charge any fees that might be due in connection with this matter to Deposit Account Number 08-0219.

If there are any questions, please call the undersigned at the telephone number indicated below.

Respectfully submitted,

Date: 8/26/2003
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60 State Street
Boston, MA 02109
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Ronald R. Demsher, Reg. No. 42,478
Attorney/Agent for Applicant



Subt. For, PTO-1449				Docket Number 112439.120		Application Number 10/051,542	
INFORMATION DISCLOSURE IN AN APPLICATION (Use several sheets if necessary)				Applicant Gristina, et al.			
				Filing Date January 17, 2002		Group Art Unit 2857	
Sheet	1	OF	1				

U.S. Patent Documents						
EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	5,404,136	Apr 4, 1995	Marsen	340	870.03	
	5,818,725	Oct 6, 1998	McNamara, et al.	364	483	
	6,311,105	Oct 30, 2001	Budike, Jr.	700	291	

Foreign Patent Documents							
EXAMINER INITIAL	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO

Other Documents (Including Author, Title, Date Pertinent Pages, Etc.)		

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EXAMINER	DATE CONSIDERED
EXAMINER: Initial if citation is considered, whether or not citation is in conformance with MPEP § 609: Draw Line through citation if not conformance and not considered. Include copy with next communication to applicant.	

PATENT COOPERATION TREATY

PCT

INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference 112439.121 P	FOR FURTHER ACTION	see Notification of Transmittal of International Search Report (Form PCT/ISA/220) as well as, where applicable, item 5 below.
International application No. PCT/US03/01530	International filing date (day/month/year) 17 January 2003 (17.01.2003)	(Earliest) Priority Date (day/month/year) 17 January 2002 (17.01.2002)
Applicant THE GRISTINA FAMILY TRUST		

This international search report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This international search report consists of a total of 3 sheets.



It is also accompanied by a copy of each prior art document cited in this report.

1. Basis of the Report

a. With regard to the language, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.



the international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).

b. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international search was carried out on the basis of the sequence listing:



contained in the international application in written form.



filed together with the international application in computer readable form.



furnished subsequently to this Authority in written form.



furnished subsequently to this Authority in computer readable form.



the statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.



the statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

2. ☐ Certain claims were found unsearchable (See Box I).

3. ☐ Unity of invention is lacking (See Box II).

4. With regard to the title,



the text is approved as submitted by the applicant.



the text has been established by this Authority to read as follows:

System for Managing Resource Infrastructure and Computation in Real Time

5. With regard to the abstract,



the text is approved as submitted by the applicant.



the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box III. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. The figure of the drawings to be published with the abstract is Figure No. 1



as suggested by the applicant.



because the applicant failed to suggest a figure.



because this figure better characterizes the invention.



None of the figures

INTERNATIONAL SEARCH REPORT

International application No.

PCT/US03/01530

Box III TEXT OF THE ABSTRACT (Continuation of Item 5 of the first sheet)

The present invention provides a system and method for monitoring the resource consumption and infrastructure of at least one building in real time. The present invention employs a plurality of monitoring devices (15) and metering devices (20) associated with a building's (23) resource delivery and resource utilization structures (25). The information collected by the monitoring devices (15) and metering devices (20) about the resource of a building is processed by a central data collection and processing device (30). Building tenants can access the integrated data through a remote (40) over the Internet (45) or through a local computer (35).

INTERNATIONAL SEARCH REPORT

International application No.

PCT/US03/01530

A. CLASSIFICATION OF SUBJECT MATTERIPC(7) : G01R 21/00
US CL : 700/291; 702/60

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHEDMinimum documentation searched (classification system followed by classification symbols)
U.S. : 700/291, 295; 702/60

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	US 5,818,725 A (MCNAMARA et al) 06 OCTOBER 1998 (06.10.1998), abstract	1-41
A	US 6,311,105 B1 (BUDIKE, JR) 30 OCTOBER 2001 (30.10.2001), column 7, lines 1-58	1-144
A	US 5,404,136 A (MARSDEN) 04 APRIL 1995 (04.04.1995), abstract	1-144

☐ Further documents are listed in the continuation of Box C.☐ See patent family annex.

Special categories of cited documents:	
"A" document defining the general state of the art which is not considered to be of particular relevance	"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
"E" earlier application or patent published on or after the international filing date	"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)	"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art
"O" document referring to an oral disclosure, use, exhibition or other means	"&" document member of the same patent family
"P" document published prior to the international filing date but later than the priority date claimed	

Date of the actual completion of the international search

13 March 2003 (13.03.2003)

Date of mailing of the international search report

19 JUN 2003

Name and mailing address of the ISA/US

Commissioner of Patents and Trademarks
Box PCT
Washington, D.C. 20231

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